

LATHAM & WATKINS LLP  
Melanie M. Blunschi (Bar No. 234264)  
melanie.blunschi@lw.com  
Morgan E. Whitworth (Bar No. 304907)  
morgan.whitworth@lw.com  
505 Montgomery St., Suite 2000  
San Francisco, CA 94111  
Telephone: +1.415.391.0600

Daniel R. Gherardi (Bar No. 317771)  
Daniel.gherardi@lw.com  
140 Scott Drive  
Menlo Park, CA 94025  
Telephone: +1.650.328.4600

*Attorneys for Defendants Extreme Networks, Inc.,  
Edward B. Meyercord III, Rémi Thomas, Cristina  
Tate, Kevin Rhodes, Norman Rice, and Jonas  
Brown*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

STEAMFITTERS LOCAL 449 PENSION &  
RETIREMENT SECURITY FUNDS, on  
Behalf of Itself and All Others Similarly  
Situated,

Plaintiff,

v.

EXTREME NETWORKS, INC., EDWARD  
B. MEYERCORD III, RÉMI THOMAS,  
CRISTINA TATE, KEVIN RHODES,  
NORMAN RICE, and JONAS BROWN,

Defendants.

Case No. 3:24-cv-05102-TLT

**DECLARATION OF MORGAN E.  
WHITWORTH IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS  
LEAD PLAINTIFFS' SECOND AMENDED  
CONSOLIDATED COMPLAINT**

Hearing: March 3, 2026  
Time: 2:00 p.m.  
Location: Courtroom 9 - 19th Floor  
Judge: Hon. Trina L. Thompson

1 I, Morgan E. Whitworth, hereby declare as follows:

2 1. I am an attorney admitted to practice law in the state of California and before this  
3 Court, and I am a partner with Latham & Watkins LLP, counsel of record for Defendants Extreme  
4 Networks, Inc. (“Extreme”), Edward B. Meyercord III, Rémi Thomas, Cristina Tate, Kevin  
5 Rhodes, Norman Rice, and Jonas Brown (collectively with Extreme, “Defendants”) in the above-  
6 captioned action.

7 2. I submit this declaration in support of the Defendants’ Motion to Dismiss Second  
8 Amended Consolidated Complaint. I make this declaration based on my personal knowledge and  
9 review of the record, and I could and would testify competently thereto if necessary.

10 3. Attached hereto as **Exhibit 1** is a true and correct copy of Extreme’s April 28, 2021  
11 earnings call transcript related to financial results for the third fiscal quarter of 2021, which ended  
12 on March 31, 2021, and which is available from S&P Global Market Intelligence at  
13 <https://marketintelligence.spglobal.com/>.

14 4. Attached hereto as **Exhibit 2** is a true and correct copy of Extreme’s Annual Report  
15 on Form 10-K for the fiscal year ended June 30, 2021, which was filed with the SEC on August  
16 27, 2021 and is publicly available at [www.sec.gov](http://www.sec.gov).

17 5. Attached hereto as **Exhibit 3** is a true and correct copy of a press release entitled,  
18 “Extreme Networks Reports Third Quarter Fiscal Year 2022 Financial Results,” which was filed  
19 on Form 8-K with the SEC on April 27, 2022 and is publicly available at [www.sec.gov](http://www.sec.gov).

20 6. Attached hereto as **Exhibit 4** is a true and correct copy of Extreme’s July 27, 2022  
21 earnings call transcript related to financial results for the fourth fiscal quarter of 2022, which ended  
22 on June 30, 2022, and which is available from S&P Global Market Intelligence at  
23 <https://marketintelligence.spglobal.com/>.

24 7. Attached hereto as **Exhibit 5** is a true and correct copy of a press release entitled,  
25 “Extreme Networks Reports Fiscal Year and Fourth Quarter 2022 Financial Results,” which was  
26 filed on Form 8-K with the SEC on July 27, 2022 and is publicly available at [www.sec.gov](http://www.sec.gov).

27 8. Attached hereto as **Exhibit 6** is a true and correct copy of Extreme’s Annual Report  
28 on Form 10-K for the fiscal year ended June 30, 2022, which was filed with the SEC on August

29, 2022 and is publicly available at [www.sec.gov](http://www.sec.gov).

9. Attached hereto as **Exhibit 7** is a true and correct copy of a press release entitled, “Extreme Networks Reports First Quarter Fiscal Year 2023 Financial Results,” which was filed on Form 8-K with the SEC on October 27, 2022 and is publicly available at [www.sec.gov](http://www.sec.gov).

10. Attached hereto as **Exhibit 8** is a true and correct copy of the transcript from the May 17, 2023 Needham Technology & Media Conference, which is available from Factset: CallStreet at [www.callstreet.com](http://www.callstreet.com).

11. Attached hereto as **Exhibit 9** is a true and correct copy of Extreme’s January 25, 2023 earnings call transcript related to financial results for the second fiscal quarter of 2023, which ended on December 31, 2022, and which is available from S&P Global Market Intelligence at <https://marketintelligence.spglobal.com/>.

12. Attached hereto as **Exhibit 10** is a true and correct copy of a press release entitled, “Extreme Networks Reports Second Quarter Fiscal Year 2023 Financial Results,” which was filed on Form 8-K with the SEC on January 25, 2023 and is publicly available at [www.sec.gov](http://www.sec.gov).

13. Attached hereto as **Exhibit 11** is a true and correct copy of Extreme’s April 26, 2023 earnings call transcript related to financial results for the third fiscal quarter of 2023, which ended on March 31, 2023, and which is available from S&P Global Market Intelligence at <https://marketintelligence.spglobal.com/>.

14. Attached hereto as **Exhibit 12** is a true and correct copy of a press release entitled, “Extreme Networks Reports Third Quarter Fiscal Year 2023 Financial Results,” which was filed on Form 8-K with the SEC on April 26, 2023 and is publicly available at [www.sec.gov](http://www.sec.gov).

15. Attached hereto as **Exhibit 13** is a true and correct copy of a press release entitled, “Extreme Networks Reports Fourth Quarter and Fiscal Year 2023 Financial Results,” which was filed on Form 8-K with the SEC on August 2, 2023 and is publicly available at [www.sec.gov](http://www.sec.gov).

16. Attached hereto as **Exhibit 14** is a true and correct copy of Extreme’s Annual Report on Form 10-K for the fiscal year ended June 30, 2023, which was filed with the SEC on August 24, 2023 and is publicly available at [www.sec.gov](http://www.sec.gov).

17. Attached hereto as **Exhibit 15** is a true and correct copy of Extreme’s November

1, 2023 earnings call transcript related to financial results for the first fiscal quarter of 2024, which ended on September 30, 2023, and which is available from S&P Global Market Intelligence at <https://marketintelligence.spglobal.com/>.

18. Attached hereto as **Exhibit 16** is a true and correct copy of a press release entitled, “Extreme Networks Reports First Quarter Fiscal Year 2024 Financial Results,” which was filed on Form 8-K with the SEC on November 1, 2023 and is publicly available at [www.sec.gov](http://www.sec.gov).

19. Attached hereto as **Exhibit 17** is a true and correct copy of a CRN article entitled, “Extreme Networks CEO: ‘These Are Boon Times for our Channel Partners,’” dated November 22, 2023 and publicly available at <https://www.crn.com/news/networking/extreme-networks-ceo-these-are-boon-times-for-our-channel-partners>.

20. Attached hereto as **Exhibit 18** is a true and correct copy of a press release entitled, “Extreme Networks Provides Update to Q2 Outlook Announces Earnings Reporting Date,” which was filed on Form 8-K with the SEC on January 8, 2024 and is publicly available at [www.sec.gov](http://www.sec.gov).

21. Attached hereto as **Exhibit 19** is a true and correct copy of a press release entitled, “Extreme Networks Reports Second Quarter Fiscal Year 2024 Financial Results,” which was filed on Form 8-K with the SEC on January 31, 2024 and is publicly available at [www.sec.gov](http://www.sec.gov).

22. Attached hereto as **Exhibit 20** is a true and correct copy of Extreme’s Annual Report on Form 10-K for the fiscal year ended June 30, 2024, which was filed with the SEC on August 16, 2024 and is publicly available at [www.sec.gov](http://www.sec.gov).

23. Attached hereto as **Exhibit 21** is a true and correct copy of Extreme’s July 27, 2022 presentation regarding financial results for the fourth quarter of fiscal year 2022, which ended on June 30, 2022 and which is publicly available at <https://investor.extremenetworks.com/events-and-presentations/default.aspx>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of October 2025, in Menlo Park, California.

/s/ Morgan E. Whitworth

Morgan E. Whitworth

**SIGNATURE ATTESTATION**

I, Melanie M. Blunschi, am the ECF User whose identification and password are being used to file the foregoing Declaration of Morgan E. Whitworth in Support of Defendants' Motion to Dismiss Lead Plaintiffs' Second Amended Consolidated Complaint. Pursuant to Civil L.R. 5-1(i)(3) regarding signatures, I, Melanie M. Blunschi, attest that concurrence in the filing of this document has been obtained.

DATED: October 3, 2025

/s/ Melanie M. Blunschi  
Melanie M. Blunschi